IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 3363 of 2005

Shri Rajendra Waman Kumkar ..Petitioner

vs.

Administrative Officer
Municipal Education Board & Ors. ..Respondents

Shri M.S.Lagu for petitioner
Shri P.I.Khemani, A.G.P. for respondent nos. 2 and 3

CORAM: A.P.SHAH &
Dr.D.Y.CHANDRACHUD JJ.
28th June, 2005

P.C.

1. Rule. Learned A.G.P. waives service for respondent nos. 2 and 3.

2. The issue involved in this petition is covered by the judgment of Division Bench in Writ Petition No.7579 of 2004 and companion petition (Bhaskar Chendraion Mangalarapu Vs.Administrative Officer and others) decided on 23rd November, 2004. For the reasons recorded in the said judgment, the impugned order directing recovery is set aside. Resp ondent no.1 is directed to grant personal hearing to the petitioner and take a decision in accordance with law within a period of two months from today. It is needless to say that till the fresh orders are passed by respondent no.1 the petitioner will be entitled to get trained teacher’s salary. Arrears of salary, if any, shall be cleared within a period of four weeks from

today.

3. Petition is disposed of accordingly.